

## HUMAN SERVICES BOARD

# INTRODUCTION

## DISCUSSION

On August 31, 2007 the Department received a letter from the petitioner (dated August 22, 2007) indicating that she wanted to appeal the observation noted in the site visit. Inexplicably, but (fortunately as it turns out) not

crucially, the Department did not forward this request to the Board until November 2, 2007.

On November 14, 2007 the Department filed a motion to dismiss the petitioner's appeal to the Board as being untimely. At a telephone status conference held on November 29, 2007 the petitioner did not dispute any of the above dates, as alleged by the Department in its Motion.

Human Services Board Rule No. 1 includes a provision that all appeals, except those from the Department of Social Welfare (now Economic Services and OVHA) and the Office of Child Support "must be made within thirty days from the date the grievance arose". The petitioner does not dispute that she received written notice of this deadline from the Department in its July 11 mailing to her. The petitioner also does not dispute that the date of her letter to the Department (August 22) was clearly beyond thirty days from the date she received the Department's notice.

The Board has repeatedly held that it does not have jurisdiction to consider appeals filed beyond the applicable time limits. See e.g. Fair hearing No. 20,647.

ORDER

The petitioner's appeal is dismissed as untimely.

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